

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14245 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -BIRPUR District- SUPAUL

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Vikrant Viplav @ Vikrant son of Ram Prasad Mandal Resident of Bhimpur,
P.S. Bhimpur, District Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Birpur P.S. Case No. 12 of 2017, registered under Sections 420, 120(b) of the Indian Penal Code, Section 38(1), 41(1)(2) of the Bihar Excise Act, 2016 and Section 22(a) and 23 of the NDPS Act.

The accusation is of carrying of narcotics and illicit liquor loading in a Scorpio vehicle bearing Reg. No. BR-11Y-3156. Thereafter, on 18.01.2017 in the morning the informant and other Police officials started checking the vehicle near village Bhagawanpur road. In that course, aforesaid Scorpio was seen coming in high speed, while the signal was given by the Police official to stop the vehicle, but driver of the vehicle accelerated the speed of the vehicle and, therefore, the vehicle



dashed with a tree. At that time, driver of the said vehicle succeeded to flee away. In presence of two independent witnesses, namely, Emrul and Wazir Alam, the vehicle was searched and 12 Kg Nepali Ganja and 1264 bottle, each containing 300 ML Nepali liquor recovered. The witnesses said that the vehicle was being driven by Baua Mandal in which Gautam Singh, son of Rameshwar Singh, Nezam and Rajabul, both sons of Wasir of village Balua Bazar were sitting. The witnesses also disclosed that the vehicle was belongs to one Tipu Kumar and he handed over the vehicle to petitioner Vikrant Viplav for the purpose of earning more money, who is indulged in smuggling of narcotics.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the name of the petitioner surfaced by the witnesses, who were present on the spot at the time of recovery of 12 Kg of Nepali ganja and liquor from the Scorpio vehicle and they informed that this petitioner used to run the vehicle after taking the same on hire by Tipu Kumar, owner of the Scorpio vehicle. Further submission is that, in fact, nothing has been recovered from the conscious possession of the petitioner and he has falsely been implicated in this case. The petitioner is in custody since 19.01.2017.



Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge, Supaul in connection with Birpur P.S. Case No. 12 of 2017.

(Rajendra Kumar Mishra, J)

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